

UNITED STATES DISTRICT COURT
07 Civ.4798

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Kishma Pickering and Sheron Branch

Plaintiffs, DECLARATION

-against-

The 40/40 Club, Twenty Ones Incorporated,
Jay-Z aka Sean Carter, Juan Perez,
and Desire Gonzalez Perez

Defendants.

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I, Sheron Branch, declare under penalty of perjury:

1. I am a plaintiff in this matter and I am making this declaration in support of this motion to circulate a Notice of Pendency and Consent to Join, brought jointly by the plaintiffs in this matter and by the plaintiffs in Williams v. Twenty Ones, Inc., 07 civ. 3978.
2. I worked for defendants as a receptionist from January 2006 to December 2006.
3. At any time, there were about 40 non-management employees, including 2-5 receptionists, working for the 40/40 club.
4. Our performance and qualifications were excellent.
5. Defendants operate the 40/40 club in such a way as to systematically deny to employees their wages in various ways, including denial of overtime pay, illegal deductions and outright refusal to pay wages owed.
6. Defendants treated me and other non-management employees so abusively that the turnover is very high.

7. While there were typically around 40 non-management employees working at the 40/40 Club, because of the abusive treatment, many of us were either fired or forced to leave soon after we started.
8. As a result, the numbers of non-management employees who worked at the 40/40 club on an annual basis exceeded 100.
9. I and other non management employees typically worked substantially over 40 hours per week, but we were denied the legally required overtime rate for our overtime work.
10. I and other non management employees normally worked more than 10 hours per day, but were denied the legally required spread of hours premium.
11. Defendants often took deductions from my wages and the wages of other employees, for instance, if some item were missing, without our consent.
12. Defendants often simply refused to pay me or other employees at all for the work which we performed.
13. The defendants were, at all relevant times herein, aware that I and other employees were not being paid our full and proper wages in accordance with the provisions of the Fair Labor Standards Act and the New York State Labor Law.
14. The defendants' failures to make overtime payments and illegal wage deductions were willful.
15. The other employees who are treated in the manner described above, and who are similarly situated to me, exceed 100 in number.

I, Sheron Branch, declare under penalty of perjury that the foregoing is true and correct:

Executed on: New York, New York
Date: 1/10/2008

Signed: Sheron Branch